

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

ORDER NO. 84-29

CITY AND COUNTY OF SAN FRANCISCO

SOUTHEAST WATER POLLUTION CONTROL PLANT AND BAYSIDE WET WEATHER  
DIVERSION STRUCTURES REQUIRING THE CITY AND COUNTY OF SAN  
FRANCISCO TO CEASE AND DESIST DISCHARGING WASTE FROM ITS SOUTH-  
EAST WATER POLLUTION CONTROL PLANT AND FROM ITS SOUTHEAST AND  
NORTH POINT WET WEATHER DIVERSION STRUCTURES CONTRARY TO  
REQUIREMENTS PRESCRIBED IN ORDER NOS. 84-27 AND 84-28,  
RESPECTIVELY, BOTH NPDES PERMITS.

The California Regional Water Quality Control Board, San Francisco Bay  
Region, hereinafter called the Board, finds that:

1. On June 20, 1984, the Board adopted Order Nos. 84-27 and 84-28, NPDES Permits prescribing requirements for the discharge of waste by the City and County of San Francisco hereinafter called the discharger, from the Southeast Water Pollution Control Plant and the Southeast and North Point wet weather diversion structures, respectively. These orders superseded and rescinded Order Nos. 74-163, 77-60, 79-128, and 79-67 which previously prescribed requirements for these discharges.
2. On January 19, 1983 the Board adopted Order No. 83-1 ordering the discharger to cease and desist from discharging waste contrary to the requirements of Order Nos. 74-163, 77-60, 79-128, and 79-67.
3. On March 16, 1983 the Board adopted Order No. 83-7 amending Order No. 83-1.
4. There has been a substantial reduction in federal clean water grant funding available to California. The State Water Resources Control Board has not assigned sufficiently high priority for the discharger's projects to assure funding in consonance with adopted cease and desist order time schedules. Most projects will experience considerable delay in funding unless higher priority is assigned.
5. The compliance time schedules contained in Order No. 83-1, as amended by Order No. 83-7, need to be revised to establish project priorities based upon maximum water quality benefit and realistically achievable schedules.
6. The discharger is threatening to violate the following requirements of Order No. 84-27: Discharge Prohibition against discharge with less than 10:1 dilution (A.3). [Southeast WPCP]
7. The discharger is threatening to violate the following requirements of Order No. 84-28: Discharge prohibition A.1. (allowable overflows and overflow criteria). [Wet weather overflows]

8. The EPA and SWRCB have adopted a NPDES compliance policy which requires that municipalities that require construction to meet compliance are responsible for financing and completing construction prior to the statutory compliance date of July 1988 and recognizes that some municipalities will undoubtedly be required to upgrade existing facilities or complete current construction from local funding sources.
9. The discharger commenced operation of the bayside core system late in 1982, which consists of the North Shore outfall consolidation (storage/transport), the channel outfall consolidation, the North Point plant (wet weather treatment only) and the Southeast secondary treatment plant.
10. The Southeast Bayside Project would control the wet weather overflows in the area South of Islais Creek that contains significant shellfish resources and major water oriented recreational facilities under development. The bayside core system does not include this project.
11. The bayside core system is a significant initial step towards compliance with this Board's requirements; however the Southeast Bayside Project must proceed expeditiously.
12. This action is an order to enforce waste discharge requirements, previously adopted by the Board, this action is therefore categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15121 of the Resources Agency Guidelines.
13. On June 20, 1984, at a meeting starting at 9:30 a.m. in the Assembly Room, State Building, 1111 Jackson Street, Oakland, after due notice to the discharger, and all other affected persons, the Board conducted a public hearing at which the discharger and other interested persons appeared and evidence was received concerning the discharges.

IT IS HEREBY ORDERED THAT:

- A. The discharger cease and desist from threatening to discharge waste contrary to the requirements of Order No. 84-27 listed in paragraph 6 above, and Order No. 84-28 listed in 7, above.
- B. Compliance with this Board's requirements of Order No. 84-27 (Southeast WPCP) with respect to the prohibition of discharge with less than 10:1 dilution (A.3) shall be achieved according to the following time schedule:

<u>Task</u>	<u>Completion Date</u>
-------------	------------------------

- |  |                            |
|--|----------------------------|
| 1. Submit time schedule for compliance | October 1, 1984            |
| 2. Achieve full compliance             | no later than July 1, 1988 |
- C. Compliance with this Board's requirements of Order No. 84-28 (wet weather overflows) with respect to discharge prohibition A.1 (allowable overflows and overflow criteria) shall be achieved according to the following time schedule:

1. Channel outfall consolidation (wet weather diversion structures No. 18-28)

<u>Task</u>	<u>Completion Date</u>
-------------	------------------------

- |                                    |   |
|------------------------------------|---|
| a. Advertise for construction bids | * |
| b. Award construction contract     | * |
| c. Complete construction           | * |

2. Control facilities for North Shore and Channel outfall consolidation projects

<u>Task</u>	<u>Completion Date</u>
-------------	------------------------

- |                                    |               |
|------------------------------------|---------------|
| a. Complete design                 | April 1, 1985 |
| b. Advertise for construction bids | *             |
| c. Award construction contract     | *             |
| d. Complete construction           | *             |

3. Southeast Bayside project (wet weather diversion structures No. 36-43)

- a. Southeast sewer modifications and Hunters Point Facilities

<u>Task</u>	<u>Completion Date</u>
-------------	------------------------

- |                                     |   |
|-------------------------------------|---|
| (1) Advertise for construction bids | * |
| (2) Award construction contract     | * |
| (3) Complete construction           | * |

- b. Griffith pump station and force main, Yosemite outfall, and Fitch outfall

<u>Task</u>	<u>Completion Date</u>
-------------	------------------------

- |                                     |                 |
|-------------------------------------|-----------------|
| (1) Complete design                 | January 1, 1985 |
| (2) Advertise for construction bids | *               |
| (3) Award construction contract     | *               |
| (4) Complete construction           | *               |

- c. Sunnydale outfall consolidation

<u>Task</u>	<u>Completion Date</u>
-------------	------------------------

- |                                     |                 |
|-------------------------------------|-----------------|
| (1) Submit time schedule for design | January 1, 1985 |
|-------------------------------------|-----------------|

- (1) The Griffith pump station design completion may be delayed up to 6 months due to Value Engineering considerations.

d. Griffith reservoir (1)

<u>Task</u>	<u>Completion Date</u>
(1) Complete design	June 1, 1985
(2) Complete construction	*

e. Treatment facilities

<u>Task</u>	<u>Completion Date</u>
(1) Submit plan and time schedule for compliance	October 1, 1984

f. Disposal facilities

<u>Task</u>	<u>Completion Date</u>
(1) Submit plan and time schedule for compliance	October 1, 1984

4. Remaining Bayside projects (wet weather diversion structures No. 29-35)

<u>Task</u>	<u>Completion Date</u>
a. Full compliance	July 1, 1988

5. A time schedule for compliance for all tasks where the completion date is marked by \* shall be submitted by November 1, 1984.

6. Full compliance with prohibition A.1 (allowable overflows and overflow criteria) of Order No. 84-28 no later than July 1, 1988.

D. The discharger must submit a draft Municipal Compliance Plan by April 1, 1985 and a final M.C.P. by July 1, 1985 detailing means and time schedules for achieving compliance by July 1, 1988. The Municipal Compliance Plan must identify:

- The necessary treatment technology and estimated costs;
- Sources and methods of financing both construction and Operation and Maintenance;

(1) The Griffith reservoir project may be delayed in the event of decreased Marine CSO funding and/or the Sunnydale project is substituted for the Griffith reservoir project.

- Proposed, fixed-date, compliance schedules; and
- Interim steps, if any, toward achieving compliance.

If extraordinary circumstances make it impossible for the discharger to meet the July 1, 1988 compliance date, the Board will work with the discharger to establish a fixed date schedule to achieve compliance in the shortest, reasonable period of time thereafter, including interim abatement measures as appropriate.

- E. The discharger is required to submit to the Regional Board by the 15th day of every month a report, under penalty of perjury, on progress towards compliance with this Order. Said report shall include the status of progress made toward compliance with all tasks of this Order. If noncompliance or threatened non-compliance is reported the reasons for noncompliance and an estimated completion date shall be provided. Every third report shall include a status report of all projects under construction.
- F. The Executive Officer is instructed to bring this item back to the Board if there are changes in the availability of construction grant funds that warrant an acceleration of time schedules.
- G. This Board's Order Nos. 83-1 and 83-7 are hereby rescinded.

I, Roger B. James, Executive Officer do hereby certify the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on June 20, 1984.

ROGER B. JAMES  
Executive Officer